

this application cannot claim priority from the Japanese application because "the United States application was filed more than twelve months thereafter." See paragraph 2 of the Action.

Applicants respectfully disagree.

MPEP 201.13 II D states:

If the last day of the 12 months is a Saturday, Sunday, or Federal holiday within the District Columbia, the U.S. nonprovisional application is in time if filed on the next succeeding business day; thus, if the foreign application was filed on September 4, 1981, the U.S. nonprovisional application is in time if filed on September 7, 1982, since September 4, 1982, was a Saturday and September 5, 1982 was a Sunday and September 6, 1982 was a Federal holiday.

November 11, 2003, was a Federal holiday, Veterans Day. This application was filed the next day, November 12, 2003. Thus, this application was filed in time to claim priority from the Japanese application filed November 11, 2002.

The rejection of claims 1, 4, 5-7 and 21 under 35 USC 102(e) on Jung should be withdrawn because Jung is not prior art.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. **606402014800**.

Respectfully submitted,

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